

LAW OFFICES

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP

600 SOUTH AVENUE WEST

WESTFIELD, NEW JERSEY 07090-1497

(908) 654-5000

FAX: (908) 654-7866

www.ldlkm.com

PATENTS, TRADEMARKS AND COPYRIGHTS

SIDNEY DAVID
JOSEPH S. LITTENBERG
ARNOLD H. KRUMHOLZ
WILLIAM L. MENTLIK
JOHN R. NELSON
ROY H. WEPNER
STEPHEN B. GOLDMAN
CHARLES P. KENNEDY
PAUL H. KOCHANSEKI
MARCUS J. MILLET
BRUCE H. SALES
ARNOLD B. DOMPIERI
KEITH E. GILMAN
ROBERT B. COHEN
MICHAEL H. TESCHNER
GREGORY S. GEWIRTZ
JONATHAN A. DAVID
SHAWN P. FOLEY
JEFFREY S. DICKEY

THOMAS M. PALISI
STEPHEN F. ROTH
KIMBERLY V. PERRY
RENÉE M. ROBESON
LYNNE A. BORCHERS
MICHAEL J. DOHERTY
MATTHEW B. DERNIER
J. KIRKLAND DOUGLASS
SCOTT S. SERVILLA
JEANNE P. VALLEBUONA
EDWARD D. PERGAMENTA
FRANK J. CHESKY II
WILLIAM SMITH
TIMOTHY J. LUBECKI*
TIMOTHY J. BORTREE
YUFENG LIU

OF COUNSEL
LAWRENCE I. LERNER
DANIEL H. BOBIS
RAYMOND W. AUGUSTINA
HARVEY L. COHEN

*NORTH CAROLINA BAR ONLY
*NEW YORK BAR ONLY
*PENNSYLVANIA BAR ONLY

October 29, 2001

Commissioner For Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

Re: Our File: AMSC 3.3-001
Appln. No. 09/868,753
Filing Date: June 21, 2001
Group Art Unit: 1645

Dear Sir:

We are enclosing herewith a copy of the filing receipt for the above-identified patent application.

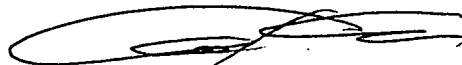
Please note that the correct **Filing Date** should read --**June 21, 2001**--, not "12." As proof of this change, please refer to the enclosed copies of a Transmittal Letter and Express Mail Label Number EL807550335US. Also, please reverse lines 2 and 3 of the section entitled "**Domestic Priority as Claimed by Applicant**" so that this section now reads as follows:

This Application is a 371 of PCT/US00/29231 10/23/2000
which claims benefit of **60/161,292 10/25/1999**
which claims benefit of **60/161,193 10/22/1999**

Kindly issue a corrected filing receipt for the above-identified application as soon as possible.

Sincerely yours,

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP



ARNOLD H. KRUMHOLZ
Reg. No. 25,428

AHK:ls
Enclosures
335897_1.DOC

RECEIVED
APR 02 2002
TECH CENTER 1600/2900



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|-----------------|----------|------------|------------|
| 09/868,753 | 06/12/2001 | 1645 | 396 | AMSC-001 33 | 10 | 32 | 4 |

CONFIRMATION NO. 5065

000530

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

FILING RECEIPT



OC000000006548379

Date Mailed: 09/13/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

John R. Murphy, Boston, MA;
Edward O'Lear, Wolcott, CT;
Robert J. Harrison, Medfield, MA;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/US00/29231 10/23/2000
WHICH CLAIMS BENEFIT OF 60/161,193 10/22/1999
WHICH CLAIMS BENEFIT OF 60/161,292 10/25/1999

Foreign Applications

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

Title

Vaccine compositions

RECEIVED

SEP 20 2001

LDLK&M

Preliminary Class

424

Data entry by : NGUYEN, SON

Team : OIPE

Date: 09/13/2001

[REDACTED]

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

AMSC-001

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.
PCT/US00/29231INTERNATIONAL FILING DATES
23 October 2000PRIORITY DATE CLAIMED
22 October 1999

TITLE OF INVENTION VACCINE COMPOSITIONS

APPLICANT(S)
FOR DO/EO/US

John R. MURPHY et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

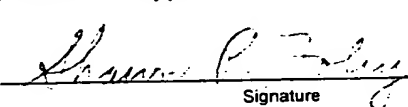
1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to promptly begin national examination procedures (35 U.S.C. 371 (f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not transmitted by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. w/PTO-1449, 2 references
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 & 3.31 is included.
13. ☐ A FIRST preliminary amendment.
- ☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

- Copy of International Application as published
- Ten (10) Sheets Drawings
- Sequence Listing
- Statement accompanying Sequence Listing
- Diskette Containing Sequence Listing

EXPRESS MAIL LABEL NO. EL807550335US**DATE:** June 21, 2001

| | | | | |
|---|---|--|-----------------------------------|----------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) | INTERNATIONAL APPLICATION NO. PCT/US00/29231 | ATTORNEY'S DOCKET NUMBER AMSC-001 | | |
| 17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,000.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 <input checked="" type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 | | CALCULATIONS PTO USE ONLY <div style="border: 1px solid black; height: 100px; width: 100%;"></div> | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)). | | 100.00 | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | | |
| Total claims | 32 - 20 = | x \$18.00 | | |
| Independent claims | 4 - 3 = | x \$80.00 | | |
| MULTIPLE DEPENDENT CLAIM(s) (if applicable) | | + \$270.00 | | |
| TOTAL OF ABOVE CALCULATIONS = | | 396.00 | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | |
| SUBTOTAL = | | 396.00 | | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). + | | | | |
| TOTAL NATIONAL FEE = | | 396.00 | | |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31) + (\$40.00 per property). | | | | |
| TOTAL FEES ENCLOSED = | | 396.00 | | |
| * As In Preliminary Amendment | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Amount to be: Refunded</td> </tr> <tr> <td style="text-align: center;">Charged</td> </tr> </table> | Amount to be: Refunded | Charged |
| Amount to be: Refunded | | | | |
| Charged | | | | |
| a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 12-1095 in the amount of \$ 396.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to my Deposit Account No. 12-1095. A duplicate copy of this sheet is enclosed. | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status. SEND ALL CORRESPONDENCE TO: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Lerner, David, Littenberg, Krumholz & Mentlik, LLP 600 South Avenue West Westfield, NJ 07090 Telephone 908 654-5000 </div> <div style="width: 45%; text-align: center;">  Signature SHAWN P. FOLEY Name 33,071 </div> </div> | | | | |



UNITED STATES POSTAL SERVICE

***** WELCOME TO *****
WESTFIELD POST OFFICE
Welcome to the Westfield Post Office
Memorial Day is Monday, May 28th, 2001
06/21/01 04:41PM

Store USPS Trans 121
Wkstn sys5004 Cashier KPMZ1
Cashier's Name INDU
Stock Unit Id SIAINDU
PO Phone Number 908-233-1167

1. Exp. Mail PO-ADD 0.00
Destination: 20231
Weight: 21b 0.40oz
Postage Type: None
Total Cost: 18.85
Base Rate: 18.85
Label#: EL807550335US
Corporate Acct.: 070255
Amount Charged: 18.85

Subtotal 0.00
Total 0.00

Number of Items Sold: 1

Postal Employees Salute all Veterans
Kenneth A. Brown, Postmaster



POST OFFICE TO ADDRESSEE



EL 807550335 US

ORIGIN (POSTAL USE ONLY)

| | | |
|--|---|--|
| PO ZIP Code 07090 | Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second | Flat Rate Envelope <input type="checkbox"/> |
| Date In Mo. 6 Day 21 Year 01 | <input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM | Postage \$ 18.85 |
| Time In 16.41 | Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day | Return Receipt Fee |
| Weight 2 lbs. 0.40 oz. | Int'l Alpha Country Code | COD Fee Insurance Fee |
| No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | Acceptance Clerk Initials S.C. | Total Postage & Fees \$ 18.85 |

SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
ON INSURANCE COVERAGE

☐ WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

NO DELIVERY ☐ Weekend ☐ Holiday Customer Signature

CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

X070255

Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE

908, 654-5000

LERNER DAVID LITTENBERG
KROMHOLZ & MENTLIK, LLP
600 SOUTH AVE W
WESTFIELD NJ 07090-1404

AMSC - 3.3 - 001

TO: (PLEASE PRINT)

PHONE

Box: PCT
COMMISSIONER FOR PATENTS
WASHINGTON DC 20231-9998

Customer Copy
Label 11-F August 2000

